

matters in both State and Federal courts, including the Third Circuit. He has represented a diverse set of clients, including the New York Times and Pennsylvania's former Democratic Governor Ed Rendell.

Prior to joining Buchanan Ingersoll, Mr. Porter served for 2 years as a law clerk for current Chief Judge D. Brooks Smith of the U.S. Court of Appeals for the Third Circuit, while he was serving as a U.S. District Judge for the Western District of Pennsylvania. In addition to his law firm practice, Mr. Porter has served in numerous professional service and other organizations. For example, he has been a leader in the Allegheny County Bar Association. His peers elected him to serve as the chair of two of that association's preeminent sections: the Federal court section and the civil litigation section. He also served on the Pennsylvania State Advisory Committee of the U.S. Commission on Civil Rights.

During his distinguished legal career, Mr. Porter has developed an outstanding reputation for professionalism, fairness, and integrity. His nomination is supported by a diverse group of attorneys and organizations, including the Pittsburgh firefighters union—IAFF Local No. 1—the current president and a past president of the National Organization of Black Law Enforcement Executives, and the president of the Pittsburgh Steelers.

Mr. Porter has all the essential qualities needed to excel as a Federal judge: experience, intelligence, integrity, and respect for the limited role of the judiciary in our constitutional system. I am pleased to support this highly qualified nominee and urge my colleagues to do the same.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mr. ENZI. Mr. President, I yield back all time.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time is yielded back.

The question is, Will the Senate advise and consent to the Porter nomination?

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER (Mr. KENNEDY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 231 Ex.]

YEAS—50

|           |            |           |
|-----------|------------|-----------|
| Alexander | Flake      | Murkowski |
| Barrasso  | Gardner    | Paul      |
| Blunt     | Graham     | Perdue    |
| Boozman   | Grassley   | Portman   |
| Burr      | Hatch      | Risch     |
| Capito    | Heller     | Roberts   |
| Cassidy   | Hoeven     | Rounds    |
| Collins   | Hyde-Smith | Sasse     |
| Corker    | Inhofe     | Scott     |
| Cornyn    | Isakson    | Shelby    |
| Cotton    | Johnson    | Sullivan  |
| Crapo     | Kennedy    | Thune     |
| Cruz      | Kyl        | Tillis    |
| Daines    | Lankford   | Toomey    |
| Enzi      | Lee        | Wicker    |
| Ernst     | McConnell  | Young     |
| Fischer   | Moran      |           |

NAYS—45

|              |           |            |
|--------------|-----------|------------|
| Baldwin      | Harris    | Peters     |
| Bennet       | Hassan    | Reed       |
| Blumenthal   | Hirono    | Sanders    |
| Booker       | Jones     | Schatz     |
| Brown        | Kaine     | Schumer    |
| Cantwell     | King      | Shaheen    |
| Cardin       | Klobuchar | Smith      |
| Carper       | Leahy     | Stabenow   |
| Casey        | Manchin   | Tester     |
| Coons        | Markey    | Udall      |
| Cortez Masto | McCaskill | Van Hollen |
| Donnelly     | Menendez  | Warner     |
| Duckworth    | Merkley   | Warren     |
| Durbin       | Murphy    | Whitehouse |
| Gillibrand   | Murray    | Wyden      |

NOT VOTING—5

|           |          |       |
|-----------|----------|-------|
| Feinstein | Heitkamp | Rubio |
| Heinrich  | Nelson   |       |

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

The clerk will report the next nomination.

The assistant bill clerk read the nomination of Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nelson nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 232 Ex.]

YEAS—51

|           |            |           |
|-----------|------------|-----------|
| Alexander | Flake      | Moran     |
| Barrasso  | Gardner    | Murkowski |
| Blunt     | Graham     | Paul      |
| Boozman   | Grassley   | Perdue    |
| Burr      | Hatch      | Portman   |
| Capito    | Heller     | Risch     |
| Cassidy   | Hoeven     | Roberts   |
| Collins   | Hyde-Smith | Rounds    |
| Corker    | Inhofe     | Sasse     |
| Cornyn    | Isakson    | Scott     |
| Cotton    | Johnson    | Shelby    |
| Crapo     | Jones      | Sullivan  |
| Cruz      | Kennedy    | Thune     |
| Daines    | Kyl        | Tillis    |
| Enzi      | Lankford   | Toomey    |
| Ernst     | Lee        | Wicker    |
| Fischer   | McConnell  | Young     |

NAYS—44

|              |           |            |
|--------------|-----------|------------|
| Baldwin      | Harris    | Reed       |
| Bennet       | Hassan    | Sanders    |
| Blumenthal   | Hirono    | Schatz     |
| Booker       | Kaine     | Schumer    |
| Brown        | King      | Shaheen    |
| Cantwell     | Klobuchar | Smith      |
| Cardin       | Leahy     | Stabenow   |
| Carper       | Manchin   | Tester     |
| Casey        | Markey    | Udall      |
| Coons        | McCaskill | Van Hollen |
| Cortez Masto | Menendez  | Warner     |
| Donnelly     | Merkley   | Warren     |
| Duckworth    | Murphy    | Whitehouse |
| Durbin       | Murray    | Wyden      |
| Gillibrand   | Peters    |            |

NOT VOTING—5

|           |          |       |
|-----------|----------|-------|
| Feinstein | Heitkamp | Rubio |
| Heinrich  | Nelson   |       |

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant bill clerk read the nomination of Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Sullivan nomination?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from North